

AMENDMENTS

IN THE CLAIMS:

Please cancel claims 6, 7 and 37 without prejudice.

Please replace claims 4, 12, 22, 25, 28-29, 45-46, 49, 52, 54-55, and 57-62 with the following amended claims:

4. (Amended) A vector comprising the nucleic acid molecule of Claim 1.

12. (Amended) A process for determining whether a compound inhibits Cloaked-2 polypeptide activity or production comprising exposing a cell according to Claim 5 to the compound, and measuring Cloaked-2 polypeptide activity or production in said host cell.

22. (Amended) An isolated polypeptide encoded by the nucleic acid molecule of Claim 1.

25. (Amended) An antibody or fragment thereof that specifically binds the polypeptide of any one of Claims 13, 14, or 15.

28. (Amended) A method of detecting or quantitating the amount of Cloaked-2 polypeptide using the anti-Cloaked-2 antibody or fragment of any one of Claims 24, 25, or 26.

29. (Amended) A selective binding agent or fragment thereof that specifically binds at least one polypeptide wherein said polypeptide comprises the amino acid sequence selected from the group consisting of:

- (a) the amino acid sequence as set forth in SEQ ID NO:2 or SEQ ID NO:4; and
- (b) a fragment of the amino acid sequence set forth in at least one of SEQ ID NO:2 or SEQ ID NO:4; and
- (c) a naturally occurring variant of (a) or (b).

45. (Amended) A hybridoma that produces a selective binding agent capable of

binding a polypeptide according to any one of Claims 13, 14, or 15.

46.(Amended) A composition comprising the polypeptide of Claim 13 and a pharmaceutically acceptable formulation agent.

49. (Amended) A polypeptide comprising a derivative of the polypeptide of Claim 13.

52. (Amended) A composition comprising a nucleic acid molecule of Claim 1 and a pharmaceutically acceptable formulation agent.

54. (Amended) A viral vector comprising a nucleic acid molecule of Claim 1.

55. (Amended) A fusion polypeptide comprising the polypeptide of Claim 13 fused to a heterologous amino acid sequence.

57. (Amended) A method for treating, preventing or ameliorating a medical condition comprising administering to a patient the polypeptide of Claim 13 or the polypeptide encoded by the nucleic acid of Claim 1.

58. (Amended) A method of diagnosing a pathological condition or a susceptibility to a pathological condition in a subject comprising:

- (a) determining the presence or amount of expression of the polypeptide of Claim 13 or the polypeptide encoded by the nucleic acid molecule of Claim 1 in a sample; and
- (b) diagnosing a pathological condition or a susceptibility to a pathological condition based on the presence or amount of expression of the polypeptide.

59. (Amended) A device, comprising:

- (a) a membrane suitable for implantation; and
- (b) cells encapsulated within said membrane, wherein said cells secrete a protein of Claim 13, and wherein said membrane is permeable to said protein and impermeable to materials detrimental to said cells.

60. (Amended) A method of identifying a compound which binds to a polypeptide comprising:

- (a) contacting the polypeptide of Claim 13 with a compound; and
- (b) determining the extent of binding of the polypeptide to the compound.

61. (Amended) A method of modulating levels of a polypeptide in an animal comprising administering to the animal the nucleic acid molecule of Claim 1.

62. (Amended) A transgenic non-human mammal comprising the nucleic acid molecule of Claim 1.

REMARKS

The foregoing amendments to the specification and claims are supported in the application as filed and do not introduce new matter. These amendments are being made without prejudice to the Applicants' right to pursue claims of the same or similar scope in a duly filed continuing application.

With respect to these claims, these amendments were made primarily to remove dependent claims and multiple dependencies solely to minimize PTO fees for extra claims, and are not for any reason related to patentability issues. Claims 1-5, 8-36, and 38-62 are now pending. A marked-up version of the amended claims (EXHIBIT A) and a clean copy of the pending claims (EXHIBIT B) are submitted herewith.

Should the Examiner have any questions of form or substance, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,

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By:



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